

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
)
William S. Duffett, Jr.,) Case No. 18-24794-CMB
) Chapter 13
Debtor) Related to Docket No.55
)
)
Citizens Bank of Pennsylvania,) Hearing Date:
) July 2, 2019 at 10:00am
Movant)
)
vs.)
)
William S. Duffett, Jr.,)
)
Respondent)

**RESPONSE TO MOTION FOR RELIEF FROM THE AUTOMATIC STAYBY
THE SECURED CREDITOR CITIZENS BANK OF PENNSYLVANIA**

AND NOW, comes the debtor, William S. Duffett, Jr., by and through his attorney, Lauren M. Lamb and Steidl and Steinberg, and respectfully represents as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Denied. The correct address for the mortgaged premises is 410 Farmcrest Drive, Oakdale, PA 15071. Debtor is currently residing in the property.

6. Denied. Debtor values the property on Schedule A at \$173,800.00 based on comparable sales in the area. Exhibit "A" is a copy of the note, not a Disclosure Statement.
7. Admitted.
8. Denied. The date of the note is March 26, 2004 and a copy is attached as Exhibit "A".
9. Denied. A copy of the mortgage is attached as Exhibit "B".
10. Denied. Debtor is without sufficient information to determine the veracity of this statement. Strict proof is requested.
11. Denied. The contractual due date on Movant's proof of claim is March 15, 2018.
12. Denied. The only creditor on this list to which Debtor owes money is the Internal Revenue Service. A proof of claim was filed for \$1,495.20.
13. Denied. Both the fair market value and amount of liens against the property is incorrect.
14. Denied. No foreclosure proceedings were instituted prior to the filing of the bankruptcy petition and this property is not located in Erie County.
15. Denied. Movant has failed to prove that it is entitled to relief and this property was not in foreclosure prior to the filing of the bankruptcy petition.
16. Denied. Debtor requests that all communication be sent to his counsel for the duration of the bankruptcy case.

17. Denied. Debtor was not two years delinquent in mortgage payments and Movant is adequately protected by Debtor's Chapter 13 payments.

WHEREFORE, the debtor, William S. Duffett, Jr., respectfully request this Honorable Court deny this Motion for Relief from the Automatic Stay.

Respectfully submitted,

June 20, 2019
DATE

/s/Lauren M. Lamb
Lauren M. Lamb, Esquire
Attorney for the Debtors
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